



RECEIVED
MAR 04 2004

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Application of: Holger BENGS *et al.*

Application No.: 09/869,395

Group Art Unit: 1615

Filed: October 1, 2001

Examiner: Micah Paul Young

For: ORAL HYGIENE PRODUCT CONTAINING
SPHERICAL MICROPARTICLES ON THE BASIS OF
LINEAR WATER-INSOLUBLE POLYGLUCANS

Attorney Docket No. 330213.02500

MAIL STOP AF

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from
the decision dated August 26, 2003 of the Primary Examiner finally rejecting Claims 13-25.

The items checked below are appropriate.

1. ☒ A Petition for a three (3) month extension of time to respond to the final rejection,
together with the \$950.00 extension fee under 37 C.F.R. § 1.17, is being filed concurrently
herewith.

2. ☐ A Petition for an additional _____ month extension of time to take further action,
together with the \$_____ extension fee under 37 C.F.R. § 1.17, was filed on _____.

3. ☒ Fee \$330.00

☐ Fee \$160.00

03/02/2004 HVUONG1 00000031 09869395

02 FC:1401

330.00 0P

Page 1 of 2

☒ Enclosed

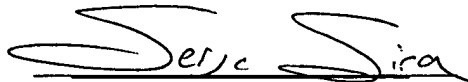
☐ Not required (fee paid in prior appeal)

☐ Charge to Deposit Account No. 50-1710 (One additional copy of this Notice enclosed herewith)

4. ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. § 1.18 to Deposit Account No. 50-1710 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-1710. A duplicate copy of this paper is enclosed.

5. ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,



Gilberto M. Villacorta, PH.D.

Registration No. 34,038

Serge Sira, PH.D.

Registration No. 39,445

PATENT ADMINISTRATOR
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061

Date: February 26, 2004